	Application No.	Applicant(s)
Notice of Allowability	09/863,268	KRAFT ET AL.
	Examiner	Art Unit	
	Peter Choi	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *Examiner's amendment on 4/16/07.*

2. ☒ The allowed claim(s) is/are *28-55.*

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

          International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

       Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
    Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
    of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
    Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER

DETAILED ACTION

1.   The following is an Examiner's statement of reasons for allowance in response to the communication received on April 16, 2007. Claims 28-55 are allowable.

2.   An examiner's amendment to the record is attached. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Ramraj Soundararajan on April 16, 2007.

Reasons for Allowance

3.   Claims 28-55 are allowed.

4.   The following is an Examiner's statement of reasons for allowance: None of the prior art of record, taken individually, or in any combination, teach a computer-based system comprising:

a window of opportunity event generator,

said window of opportunity event generator automatically identifying an event,

said event comprising an unexpected period of inactivity when a scheduled activity is blocked;

a distribution channel analyzer,

said distribution channel analyzer analyzing said event; and

an event matcher,

said event matcher receiving said event from said distribution channel

analyzer if said distribution channel analyzer determines that said event is likely to

generate said increase in sales, and

said event matcher selecting at least one of said service providers for said

event from a service provider database.

The Examiner notes that the Applicant has acted as their own lexicographer and

has employed special definitions for "events" and "window of opportunity".

Page 9 of related application 09/768,458, which was incorporated by reference,

defined **"events"** as "primarily changes in schedule of public/private service providers

(trains, planes, buses, etc.) or other publicly known events (E.g. rock concerts, art

performances, etc.). **"Window of opportunity"** was defined as "whenever there's an

unexpected change in a schedule, and one or more people (dependents) might be

affected from this change, such that they are blocked (e.g., have to wait, cannot engage

in other activities)"

The prior art most closely resembling Applicant's claimed invention is Thompson

et al. (US Patent #6,675,151). Thompson et al. teaches substitute fulfillment, but

requires manual input of employee absence. Thompson et al. provides substitutes for

employee absence, but does not analyze the likelihood of increasing sales. Thompson

et al. teaches the step of providing alternate services in response to unexpected delays.

However, prior art systems do not teach the step of first analyzing events in which

unexpected delays occur to determine whether said event is likely to increase an

increase in sales. Alternate services are provided for different reasons, such as

maintaining customer satisfaction and providing continuing service without disruption,

but the actions of the service providers are not profit-minded.

Any comments considered necessary by applicant must be submitted no later

than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on

Statement of Reasons for Allowance".

5.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Yu et al. (US Patent #6,314,361) teaches an optimization engine for flight

assignment, scheduling and routing of aircraft in response to irregular operations.

Stiles et al. (US Patent #6,842,737) teaches a travel information method and

associated system that monitors deviations from a schedule.

Matsui et al. (USPGPub 2002/0013723) teaches an information broadcasting method and device that detects a change in schedule as a result of unscheduled delays and subsequently provides substitute/alternate services.

Blants (US Patent #6,732,080) teaches a system and method of providing personal calendar services that reschedules users based on airline delays and stores personal profiles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Choi whose telephone number is (571) 272 6971. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 16, 2007

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER

EXAMINERS AMENDMENT
U.S. Patent Application **09/863,268**

28. (Previously Presented) A computer-based system utilizing an event matching system for service providers, said system comprising:

a window of opportunity event generator,

said window of opportunity event generator automatically identifying an event,

said event comprising an unexpected period of inactivity when a scheduled activity is blocked;

a distribution channel analyzer,

said distribution channel analyzer analyzing said event to determine whether said event is likely to generate an increase in sales; and

an event matcher,

said event matcher receiving said event from said distribution channel analyzer if said distribution channel analyzer determines that said event is likely to generate said increase in sales, and

said event matcher selecting at least one of said service providers for said event from a service provider database.

29. (Previously Presented) A system according to claim **28**, further comprising:

an accounting manager,

said accounting manager cooperating with said event matcher to provide an accounting functionality for said at least one of said service providers.

30. (Previously Presented) The system according to claim **29**, wherein:

said database comprises a service provider profile database,

said service provider profile database containing informational data of said

service providers.

31. (Previously Presented) The system according to claim **28**, wherein:

said system further utilizes a service provider profile manager for said service provider

database,

said service provider profile manager allowing service providers to

customize and manage profile data in said service provider database.

32. (Previously Presented) The system according to claim **28**, wherein:

said system further utilizes an event database,

said event database storing data relating to events for which a service

provider is selected by said event matcher.

33. (Previously Presented) The system according to claim **28**, wherein:

said distribution channel analyzer further utilizes a channel rules database containing

rules to be applied to particular channels.

34. (Previously Presented) The system according to claim **28**, wherein:

said distribution channel analyzer further utilizes data and rules obtained from an

institutional or organizational database,

      said institutional or organizational database containing additional informational data of selected institutions or organizations.

35. (Previously Presented) The system according to claim **34,** wherein:

said data and rules of said distribution channel analyzer further utilize an institutional or organizational profile manager,

      said manager allowing said selected institutions or organizations to customize and manage profile data in said database.

36. (Previously Presented) The system according to claim **28,** wherein:

said system further comprises a subscription management service, wherein:

      at least one said unexpected period of inactivity is defined for tracking.

37. (Previously Presented) The system according to claim **36,** wherein:

said system further comprises a location tracker,

      said tracker employed to keep track of subscribed consumers.

38. (Previously Presented) The system according to claim **37,** wherein:

said location tracker further comprises a consumer profile database for storing consumers' informational data.

39. (Previously Presented) The system according to claim **38,** wherein:

said location tracker further utilizes a consumer profile manager, wherein:

said manager allows consumers to customize and manage profile data in

said database.

40. (Previously Presented) The system according to claim **37**, wherein:

said system further comprises a tracking device used to transmit location data

continuously to said location tracker.

41. (Previously Presented) The system according to claim **40**, wherein:

said tracking device generates said location data from a source of positional data selected

from the group consisting of:

a GPS receiver;

a cellular telephone; or

any other wireless system.

42. (Currently Amended) An e-commerce method for enhancing sales of service providers, said

service providers in communication across networks and available to provide one or more

specific services through directed sales to selected customers, said method comprising the steps

of:

automatically detecting at least one sales opportunity based on an event, said event

comprising at least one unexpected period of inactivity when a scheduled activity is blocked;

analyzing said at least one sales opportunity to determine whether said sales opportunity

is event provides a beneficial opportunity likely to generate an increase in sales;

matching said beneficial opportunity with information from a subscriber profile database to select one or more of said service providers as a selected service provider; and

notifying said selected service provider of said beneficial opportunity.

43. (Previously Presented) The method according to claim **42**, further comprising the step of:

providing an accounting functionality for said one or more of said service providers by analyzing events and transactions of actual sales.

44. (Previously Presented) The method according to claim **42**, wherein:

said step of matching said beneficial opportunity with information from a subscriber profile database further comprises using an external service provider profile database.

45. (Previously Presented) The method according to claim **44**, further comprising the step of:

managing and customizing profiles of said service providers in said service provider profile database.

46. (Previously Presented) The method according to claim **42**, further comprising the step of:

storing data of said events in an event database.

47. (Previously Presented) The method according to claim **42**, further comprising the step of:

obtaining rules from a channel rules database to be applied to particular channels.

48. (Previously Presented) The method according to claim **42**, further comprising the step of:

obtaining rules from an institutional/organizational profile database containing data of selected institutions or organizations in which events may take place.

49. (Previously Presented) The method according to claim 48, further comprising the step of:

managing and customizing profiles of institutions or organizations in said institutional/organizational profile database.

50. (Previously Presented) The method according to claim 42, further comprising the step of:

tracking schedules of subscribed consumers or said service providers.

51. (Previously Presented) The method according to claim 50, further comprising the step of:

utilizing a tracking device to keep track of the location of said subscribed consumers.

52. (Previously Presented) The method according to claim 51, wherein:

said tracking device generates said location data from a source of positional data selected from the group consisting of:

a GPS receiver;

a cellular telephone; or

any other wireless system.

53. (Previously Presented) The method according to claim 50, further comprising the step of:

storing a profile of at least one consumer in a consumer profile database.

54. (Previously Presented) The method according to claim **53**, further comprising the step of:

managing and customizing said profile of said at least one consumer in said consumer profile database.

55. (Currently Amended) An article of manufacture comprising a computer program product, said computer program product comprising a computer readable medium storing processor-executable program code:

said computer readable program code embodying a method comprising the steps of:

automatically detecting at least one sales opportunity based on <u>an event,</u> <u>said event comprising</u> at least one unexpected period of inactivity when a scheduled activity is blocked;

analyzing said at least one sales opportunity to determine whether said <u>event provides</u> a beneficial opportunity likely to generate an increase in sales;

matching said beneficial opportunity with information from a subscriber profile database to select one or more of said service providers as a selected service provider; and

aiding in notifying said selected service provider of said beneficial opportunity.